

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

AMANDA GILMER,

Plaintiff,

v.

SYMETRA LIFE INSURANCE HEALTH  
AND WELFARE PLAN, *et al.*,

Defendants.

CASE NO. C19-0792-JCC

ORDER

This matter comes before the Court on the parties' stipulated motion for leave to file the "administrative record" under seal (Dkt. No. 18). Having thoroughly considered the parties' motion, and after conducting an *in camera* review of the administrative record, the Court hereby GRANTS the motion for the reasons explained herein.

**I. BACKGROUND**

Plaintiff brings this action under the Employee Retirement Income Security Act of 1974 ("ERISA"), seeking a declaration of her right to long-term disability benefits. (*See* Dkt. No. 1-1.) The parties previously stipulated that no discovery will be conducted and that the case will be decided on the administrative record. (*See* Dkt. No. 16.) The parties jointly moved to file and maintain the administrative record under seal because it contains Plaintiff's sensitive medical information. (Dkt. No. 18.) The Court ordered the parties to file a copy of the administrative

1 record—Defendants’ 902-page claim file regarding Plaintiff—under seal so the Court could  
2 conduct an *in camera* review to determine whether the parties’ request to seal was overly broad.  
3 (Dkt. No. 19; *see* Dkt. No. 18 at 1.) The parties have since filed the administrative record under  
4 seal pursuant to the Court’s order. (*See* Dkt. No. 20.)

## 5 **II. DISCUSSION**

6 In general, there is a strong presumption for public access to court files. *See Kamakana v.*  
7 *City and County of Honolulu*, 447 F.3d 1172, 1179 (9th Cir. 2006); W.D. Wash. Local Civ. R.  
8 5(g). A party seeking to seal a document attached to a dispositive motion must provide  
9 compelling reasons “that outweigh the general history of access and the public policies favoring  
10 disclosure . . . .” *Kamakana*, 447 F.3d at 1179. While courts have recognized that the need to  
11 protect a party’s medical privacy is a compelling reason to seal, the decision to seal must be  
12 made on a document-by-document basis. *See Karpenski v. Am. Gen. Life Companies, LLC*, No.  
13 C12-1569-RSM, slip op. at 2 (W.D. Wash. Oct. 9, 2013) (ruling that some but not all of the  
14 documents containing protected medical information should be maintained under seal).

15 The parties assert that compelling reasons justify sealing the entirety of the administrative  
16 record because it “consists primarily of medical records and other documents addressing  
17 [Plaintiff’s] medical conditions.” (Dkt. No. 18 at 2.) The parties further argue that “[r]edaction is  
18 not a reasonable means to protect Plaintiff’s medical privacy, because the documents would need  
19 to be heavily redacted.” (*Id.*) Having reviewed the administrative record filed by the parties, the  
20 Court concludes that the parties have provided a compelling reason to seal. The documents  
21 contained in the administrative record discuss Plaintiff’s medical conditions at length and in  
22 substantial detail. Plaintiff’s interest in keeping that information confidential outweighs the  
23 public’s interest in access. *See Kamakana*, 447 F.3d at 1179. Further, while some documents  
24 contain both confidential and non-confidential information and thus could be subject to  
25 redaction, requiring such extensive redactions would be particularly burdensome for the parties  
26 and render the remaining record difficult to understand—and thus less valuable—to the general

1 public. Therefore, based on its *in camera* review, the Court agrees with the parties that redaction  
2 is not reasonably feasible in this case.

3 **III. CONCLUSION**

4 For the foregoing reasons, the parties' stipulated motion for leave to file the  
5 administrative record under seal (Dkt. No. 18) is GRANTED. The Clerk is DIRECTED to  
6 maintain Docket Number 20 under seal until further order of the Court.

7 DATED this 26th day of August 2019.

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11 John C. Coughenour  
12 UNITED STATES DISTRICT JUDGE  
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